



## 2009 SENATE BILL 437

December 22, 2009 – Introduced by COMMITTEE ON EDUCATION. Referred to  
Committee on Education.

- 1     **AN ACT** *to renumber* 121.006 (1) (a); and *to create* 115.292 and 121.006 (1) (a)  
2             2. of the statutes; **relating to:** authorizing the state superintendent of public  
3             instruction to direct a school district to implement a new curriculum or  
4             instructional design, make personnel changes, or adopt accountability  
5             measures, and requiring the exercise of rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

This bill provides that if the state superintendent of public instruction determines that a school is in need of improvement for five consecutive school years or that a school district is in need of improvement for four consecutive school years, the state superintendent may direct the school board to do one or more of the following in the school or school district:

1. Implement a new curriculum.
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils.
3. Implement professional development programs focused on improving pupil academic achievement.
4. Make personnel changes that are consistent with applicable collective bargaining agreements.
5. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent.

The bill directs the state superintendent to promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need

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of improvement for the purpose of exercising this authority. The school board must seek input from school district staff on implementing any of the above directives.

The bill also authorizes the state superintendent to withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with any of the above directives.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 115.292 of the statutes is created to read:

2           **115.292 State superintendent interventions.** (1) If the state  
3 superintendent determines that a school is in need of improvement for 5 consecutive  
4 school years or that a school district is in need of improvement for 4 consecutive  
5 school years, the state superintendent may direct the school board to do one or more  
6 of the following in the school or school district:

7           (a) Implement a new curriculum.

8           (b) Implement a new instructional design, including expanded school hours,  
9 additional pupil supports and services, and individual learning plans for pupils.

10           (c) Implement professional development programs focused on improving pupil  
11 academic achievement.

12           (d) Make personnel changes that are consistent with applicable collective  
13 bargaining agreements.

14           (e) Adopt accountability measures to monitor the school district's finances or  
15 to monitor other interventions directed by the state superintendent under pars. (a)  
16 to (d).

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1           **(2)** If a school board receives a directive from the state superintendent under  
2 sub. (1), the school board shall seek input from school district staff on implementing  
3 the directive.

4           **(3)** The state superintendent shall promulgate rules establishing criteria and  
5 a procedure for determining whether a school or school district is in need of  
6 improvement under sub. (1).

7           **SECTION 2.** 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

8           **SECTION 3.** 121.006 (1) (a) 2. of the statutes is created to read:

9           121.006 **(1)** (a) 2. The state superintendent may withhold state aid from any  
10 school district that fails to comply to the state superintendent's satisfaction with a  
11 directive under s. 115.292 (1).

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**(END)**